File No.

Collection No.

1940.

9F 409/40 A

Resident's Office
Bangalore

2/4/47

Pros. Serial Nos. 153.

KL 9/4

Subject.

Appointment of Committee to Review Cases of long term prisoners of the City St. Confined in Madras Jails.

Previous References.

Later References.

NOTES AND PRECIS.

FILE No. 409 1940

Section. File No.

Heading. Serial No.

NOTES.

DEPT. BRANCH.

Pros. 19 . Nos.

Subject.

Appointment of Committee to review Cases of long term prisoners & ct 7 St.s confined in the Madras Jails.

Notes and Orders.

S. 1.

MGIPC—S1—3007 (S&P) MFP—(M-2577)—3-3-38—8,00,000.

Dy.No. 5825 S.N. 1

1

Examine

J.G.
11/7

2

Under the existing arrangements Station prisoners sentenced to short terms (less than 1 year) are confined in the Bangalore Central Jail, and long term prisoners are transferred to the Central Jail at Vellore. The Station prisoners confined in the Madras jails are obviously governed by the rules contained in the Madras Jail Manuals, and are subject to the other rules and regulations applicable to all the prisoners confined in those jails. When it comes to a question of remission of sentences under the Code of Criminal Procedure, however, the Provincial Government in regard to the Station prisoners being the Resident, reference is made to this Residency for the orders of the Resident.

(G) S.N.5 / Cor.p.15 / R.F.798-38 3

In the case of Muniswami, Resident ordered the [redacted] resubmission of the case for consideration with the recommendation of the Advisory Board after one year, and ultimately the recommendation was accepted and the prisoner released. In a few other cases, the recommendation was not accepted and remission refused.

(F) ⊖ Cor.p.3 / encl. to S.N.2 / R.F.65(4)-40

Please See — 4

The position may be pointed out to the Dewan Bahadur. Draft submitted.

(W) S.N.2 / Cor.p.13 / D.F.210(4)-39

Q&Ro.
19.6.40

Secretary.

Needful. 20/6.

5 The Dewan Bahadur has since passed away and his adoptive daughter Sowcar Chellammal is in very poor

20/6 20/6 20/6

Dy.No. 6150 S.N. 3

6 Please see S.N. 1 and 2. May be filed.

DSRa
17.6.40

U.S.

Record
DSRa

CORRESPONDENCE.

Myfile

DF. 381 (3)
40

(~~Situ. 3~~)

DF. 26(1)/45
Situ 2

8/5/46

S. N. 1

DIWAN BAHADUR
G. N RAYANASWAMY CHETTY C.I.E.
Special Officer in charge of
Probation & After-care Work, Bangalore.

~~GOPATHY VILLA~~
~~SANTHOME, MADRAS.~~
7, HALLS ROAD,
BANGALORE CATT.

Dated 8th June 1940.

Dear Sir,

I understand the prisoners sentenced by the Sessions Judge and the Magistrates of Civil and Military Station do not at present get the benefit of remission of one third sentences as it is done in Madras and other provinces I am sending herewith a copy of the Madras G.O. constituting Advisory Boards for the revision of long term sentences. When the G.O. was passed, the remission was not applied to habitual prisoners, but now even habitual prisoners get the benefit of remission as from experience it was found that the system of premature release produced good results not to speak of economy in prison administration.

I would therefore suggest the desirability of forming a small Committee consisting of the Sessions Judge, a Non-Official and the Dt. Magistrate to review the cases of prisoners fit for premature and conditional release.

Yours sincerely,

G. Rayanaswamy Chetty

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
11 JUN. 1940
Diary No. 5825
File No.

The Hon'ble Lieut-Col.J.H.Gordon, C.I.E.,O.B.E.
Resident of Mysore and Bangalore.

Government of Madras

Law (General) Department.

Extended to short-term prisoners vide G.O. 3 Jail (5) dated 26th February 1923.

ORDER Ms.No.667. dated 26th February 1923.

Order.

With a view to secure the advantages of indeterminate sentences and to effect economy in prison administration, the Indian Jails Committee recommended in chaper XVI of their report the revision of sentences of long term prisoners and the appointment of advisory boards for the purpose of such revision. His Excellency the Governor in Council has considered these recommendations and is now pleased to order the appointment of Standing Advisory Boards to investigate and report on the sentence of prisoners confined in the prisons of this Presidency.

2. The Advisory Board for the city of Madras will consist of --

(i) The Inspector-General of Prisons (Chairman),

(ii)The Chief Presidency Magistrate;

(iii)The Commissioner of Police, Madras; and

(iv) a non-official member appointed by the Government.

The Superintendent of Prisons, Madras, will be Secretary to the Board.

In the moffussal, the Board will consist of

(i) The Inspector-General of Prisons (Chairman)

(ii)The District and Sessions Judge of the district in which the prison is situated;

(iii)The District Magistrate of the District in which the prison is situated; and

(iv) a non-official member appointed by Government.

The Superintendent of the Jail concerned will be Secretary to the Board.

The term of office of each non-official member will ordinarily be fixed at three years.

3. Each Board shall sit at least once in six months.

4. For the present, the Boards should consider only the cases of non-habituals who satisfy the following conditi

including remission, and further,

(ii) that he has served not less than 2½ years including remission.

The Boards should submit early recommendations with a view to the release of as many of this class as can be released without injury to community.

5. To enable the Advisory Boards to judge the fitness of prisoners for release, it is necessary in every case that the judgment of the Court, full and accurate details of the prisoner's previous history and his prison record should invariably be placed before them. This duty will devolve on the Superintendent of the Jail in his capacity as Secretary to the Board, but the Police and the District Magistrate should render him every assistance in collecting the information. The Boards should also consult the officers of the Madras Presidency Discharged Prisoners Aid Society on the arrangements which may be practicable for the supervision of the prisoner's after-life.

6. The Governor-in-Council considers that it is inadvisable to release prisoners unconditionally and that prisoners who are released should ordinarily pass a period of probation during which their fitness for final release can be tested. During this period, the prisoner should be under the supervision of a probation or parole officer whose duty it will be to see that the conditions of release are not broken and to give the prisoner any protection, assistance or advice he may need. Where the Discharged Prisoners' Aid Society can undertake the work, it should be asked to do so. Where it cannot, the District Magistrate should himself undertake the work. He may make use of the services not only of private persons but also of departmental officers other than those belonging to the Police Department such as sub-Registrars and officers of the Co-operative Departments. These agents of the District Magistrate should be brought in touch with the Discharged Prisoners' Aid Society in the districts, if any such exists, and should be encouraged to send to that society periodical notes about a prisoner's behaviour.

If at any time it should be necessary to bring to notice that a prisoner is relapsing into crime and that action by the District Magistrate is called for, communication should be made direct to the District Magistrate, either in addition to or in stead of, the communication to the Discharged Prisoners' Aid Society.

(By order of the Governor in Council)

P.L.Moore,
Ag.Secretary to Government.

To the Inspector General of Prisons
Superintende t, Government press.
Copy to the Government of India, Home Department.
Judicial Department.

Copy of the endorsement of the Inspector General of Prisons, Madras, No.2856, dated 4th April 1923, to the Superintendents of all Jails and Schools.

***

Copy communicated to the Superintendents of Central and District Jails for information and guidance.

2. Meetings of the Advisory Boards will ordinarily be held at the time of the Inspector General's inspection of jails and on other occasions which will be duly intimated to this office. Superintendents who are ex-officio Secretaries of the Boards, will make all necessary arrangements to hold meetings and collect and keep for the Board's decision particulars regarding every prisoner eligible for consideration under the rules, with copies of judgment and other records in each case.

3. A list of all non-habitual prisoners now confined in Jails and eligible under the conditions of the G.O. should be prepared at once and judgment copies and other connected records, obtained and kept ready. Additions should be made to this list in due course as prisoners become eligible.

4. A non-official member should be selected in consultation with the District Magistrate and his name is reported to this office with a view to address Government for formal approval of the appointment.

No.D.F.409-40
Judl.

DEPARTMENT.

BRANCH.

File No.

Serial No.

Issued 26/6 1/SSW 2/6

Draft Letter / Memorandum / Telegram

Class for telegrams	INLAND: Immediate / Important / Express / Ordinary	FOREIGN: Immediate / Important / Ordinary / Without priority

No. Dated 26th June 1940.

To be issued on

Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

To

Diwan Bahadur G.Narayanaswamy Chetty, C.I.E.,
No. 7 Halls Road,
Bangalore.

Appointment of Committee to review cases of long-term prisoners of the Civil and Military Station, Bangalore, confined in the Madras jails.

Sir,

I am directed to refer to your letter dated the 8th June 1940, and to say that the Advisory Boards appointed by the Government of Madras consider the cases of the Station C+M long term (i.e. 1 year & over) prisoners also who are all confined in the Madras jails, and their recommendations are transmitted by the Government of Madras for the orders of the Hon'ble the Resident.

Short term C+M.S. prisoners only are confined in the Bangalore jail

I have etc.,

Sd/- A. Macann

Secretary to the Resident.

P.U.C S.N.1

S. 5.
MGIPC—S5—1595(S&P)MFP—(M-944)—6-3-39—60,000 Pads

S. N. 3

DIWAN BAHADUR
G. NARAYANASWAMY CHETTY, C.I.E.

GOPATHY VILLA
SAN THOME, MADRAS.

17th June, 1940.

Dear Sir,

I understand from the Superintendent, Central Jail, Vellore that the Bangalore .. prisoners undergoing sentences in the Central Jail, Vellore are given the benefit of remission by the Advisory Board attached to the Vellore Jail. I am sorry to have troubled you in the matter. Had the Superintendent of the Central Jail, Bangalore given me correct information, the necessity for this correspondence would not have arisen.

Begging to be excused for the trouble,

Yours sincerely,

G. Narayanaswamy Chetty

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
24 JUN. 1940
Diary No. 6150
File No.

The Hon'ble Lieut-Col.J.H.Gordon, C.I.E., O.B.E., M.C.